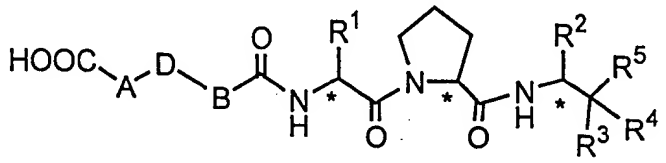
AMENDMENTS TO THE CLAIMS

1. (Currently Amended)

A heterocyclic compound of the formula (I-a):

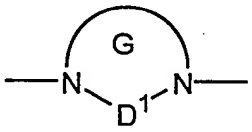


(I-a)

wherein * means that the carbon atom marked with * is an asymmetric carbon atom,

A and B are the same or different and each is a lower alkylene group being optionally substituted by an oxo group,

D is a heteromonocyclic or heterobicyclic group of the following formula:



wherein D^1 is a methylene group or an ethylene group, and these groups may optionally be substituted by an oxo group, Ring G is a 5- to 14-membered, saturated or unsaturated, heteromonocyclic or heterobicyclic group optionally having other heteroatoms selected from a nitrogen atom, an oxygen atom and/or a sulfur atom, and said

~~heterocyclic~~ heteromonocyclic or heterobicyclic group being optionally substituted by a substituent T^1, in which T^1 is the same or different 1 to 3 groups selected from

(i) an oxo group,

(ii) a substituted or unsubstituted lower alkyl group,

(iii) a substituted or unsubstituted amino group,

(iv) a substituted or unsubstituted carbamoyl group,

(v) a carboxyl group or a lower alkoxycarbonyl group,

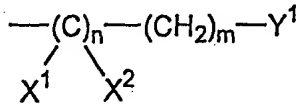
(vi) a phenyl group being optionally substituted by a halogen atom, a lower alkoxy group or a lower alkyl group, and

(vii) a substituted or unsubstituted lower alkylcarbonyl group,

R^1 and R^2 are the same or different and each is a lower alkyl group,

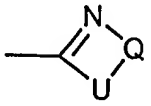
R^3 and R^4 are different from each other, and each is a hydrogen atom or a hydroxy group, or both combine together to form an oxo group,

R^5 is a group of the formula:



wherein X^1 and X^2 are a halogen atom, Y^1 is a hydrogen atom, a halogen atom, a lower alkoxycarbonyl group, a lower alkylaminocarbonyl group, an aralkylaminocarbonyl group, an aralkyloxycarbonyl group, a lower alkylcarbonyl group, or an aralkylcarbonyl group, or a group of the

following formula:



wherein U is an oxygen atom or a sulfur atom, Q is a vinylene group or an orthophenylene group being optionally substituted by T^2, T^2 is 1 to 3 groups selected from a halogen-substituted or unsubstituted lower alkyl group, a lower alkoxy group, a lower alkylsulfonyl group, a lower alkylcarbonyloxy group and an amino group being optionally substituted by a lower alkyl group,

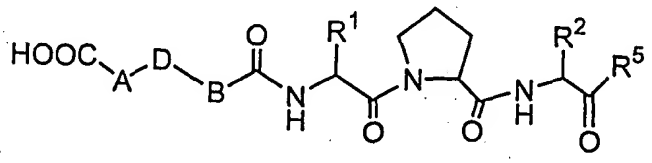
n is 0, 1 or 2, and

m is an integer of 0 to 5,

or its ester, or a salt thereof.

2. (Original)

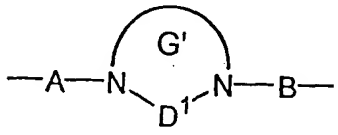
The heterocyclic compound according to claim 1, which is a compound of the following formula (I-b):



(I-b)

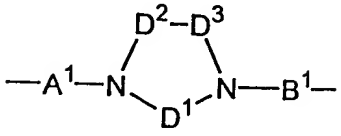
wherein A, B, D, R^1, R^2 and R^5 are as defined in claim 1,
or its ester, or a salt thereof.

3. (Currently Amended) The heterocyclic compound according to claim 1, wherein the group of the formula: -A-D-B- is a group of the following formula:



wherein A, B and D^1 are as defined in claim 1, Ring G' is a 5- to 9-membered, saturated or unsaturated heteromonocyclic group having optionally 1 to 3 of other heteroatom selected from a nitrogen atom, an oxygen atom and/or a sulfur atom, and said heteromonocyclic group may have 1 to 3 substitutents T^1 which are as defined in claim 1,
or its ester, or a salt thereof.

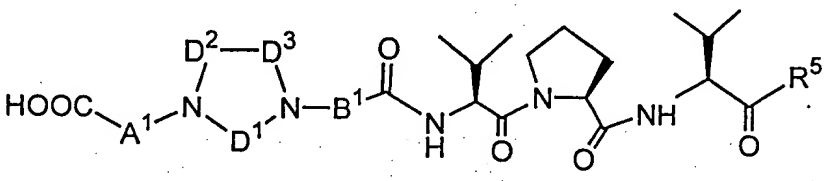
4. (Previously Amended) The heterocyclic compound according to claim 1, wherein the group of the formula: -A-D-B- is a group of the following formula:



wherein A^1 is a methylene group or a group of the formula: $-CH_2CO-$, B^1 is a methylene group or a group of the formula: $-COCH_2-$, D^2 and D^3 are the same or different and each is a vinylene group being optionally substituted by a lower alkyl group, or a methylene group being optionally substituted by an oxo group or a lower alkyl group, D^1 is as defined in claim 1, provided that both D^2 and D^3 should not simultaneously be a vinylene group being optionally substituted by a lower alkyl group,
or its ester, or a salt thereof.

5. (Original)

The heterocyclic compound according to claim 4, which is a compound of the following formula (I-c):



(I-c)

wherein D^1 and R^5 are as defined in claim 1, and A^1, B^1, D^2 and D^3 are the same as defined in claim 4,
or its ester, or a salt thereof.

6. (Original)

The heterocyclic compound according to claim 5, which is selected from the following compounds, its ester, or a salt thereof:

Compound 1: 2-(3-carboxymethyl-2-oxo-1-imidazolidinyl)acetyl-L-valyl-N-[(1S)-3,3,3-trifluoro-1-isopropyl-2-oxopropyl]-L-prolinamide;

Compound 2: 2-(3-carboxymethyl-2,4-dioxo-1-pyrimidinyl)-acetyl-L-valyl-N-[(1S)-2-(2-benzoxazolyl)-1-isopropyl-2-oxoethyl]-L-prolinamide;

Compound 3: 2-(4-carboxymethyl-2,3-dioxo-1-piperazinyl)acetyl-L-valyl-N-[(1S)-2-(2-benzoxazolyl)-1-isopropyl-2-oxoethyl]-L-prolinamide;

Compound 4: 2-(3-carboxymethyl-2,4-dioxo-1-pyrimidinyl)-acetyl-L-valyl-N-[(1S)-3-benzylamino-1-isopropyl-2,3-dioxopropyl]-L-prolinamide,

Compound 5: 2-(4-carboxymethyl-2,5-dioxo-1-piperazinyl)acetyl-L-valyl-N-[(1S)-2-(2-benzoxazolyl)-1-isopropyl-2-oxoethyl]-L-prolinamide;

Compound 6: 2-(3-carboxymethyl-2,5-dioxo-1-imidazolidinyl)-acetyl-L- valyl-N-[(1S)-3,3,3-trifluoro-1-isopropyl-2-oxopropyl]-L-prolinamide; and

Compound 7: [[4-(2-carboxyacetyl)-1-piperazinyl]malonyl]-L-valyl-N-[(1S)-2-(2-benzoxazolyl)-1-isopropyl-2-oxoethyl]-L-prolinamide.

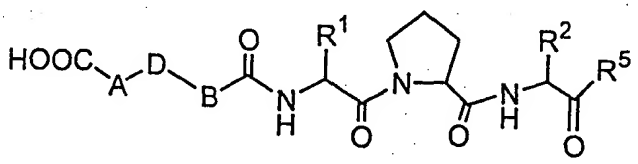
7. (Original)

A mixture comprising 90 % or more of 2-(3-carboxymethyl-2-oxo-1-imidazolidinyl)acetyl-L-valyl-N-[(1S)-3,3,3-trifluoro-1-isopropyl-2-oxopropyl]-L-prolinamide (Compound 1), or a salt thereof, and the remaining % consisting substantially of a stereoisomer of Compound 1 or a salt thereof.

8. (Cancelled)

9. (Original)

A human neutrophilic elastase inhibitor containing as the active ingredient a compound of the following formula (I-b):

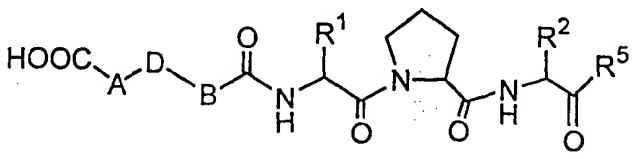


(I-b)

wherein A, B, D, R^1, R^2 and R^5 are as defined in claim 1, or a pharmaceutically acceptable salt thereof.

10. (Original)

A pharmaceutical composition containing as an active ingredient a compound of the following formula (I-b):



(I-b)

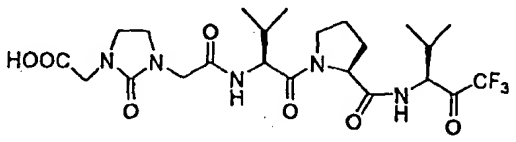
wherein A, B, D, R^1, R^2 and R^5 are as defined in claim 1, or a pharmaceutically acceptable salt thereof.

REMARKS

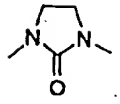
The specification has been amended to correct a typographical error. In addition, the claims have been amended to correct minor clerical errors. The correction to claim 1 is supported by claim 1, line 9. The correction to claim 3 is supported in the specification at page 9, lines 14-17.

This amendment is also responsive to the Official Action dated July 9, 2003, which constitutes a requirement for an election of species.

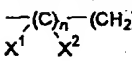
In response to the requirement, the Applicants elect the compound (I-b-1) disclosed in Example 11 of the present description, pages 50-52 of the following formula:



This elected compound corresponds to the formula (I-a) in claim 1 wherein A and B are both methylene (-CH_2-), D is a group of the formula:



[that is, in the formula:  Ring G is imidazolidine (5-membered saturated heteromonocuclic group), D^1 is a methylene substituted by oxo],

R^1 and R^2 are both isopropyl group, and R^5 is -CF_3 (that is, in the formula:  X^1 and X^2 are both fluorine, Y^1 is fluorine, n is 1 and m is 0).

Claims 1-7 and 9-10 are readable on the elected species.

Favorable action on the merits is solicited.

Respectfully submitted,

Fuminori SATO et al.

By: _____

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